

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DIVISION OF NORTH CAROLINA

FILED
JUN 08 2018
PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY DEP CLK

Civil Action No. **5:18-CV-00096-FL**

Wanda S Hudson Plaintiff, v. TELAMON CORPORATION	CLAIM AND SUMMARY JUDGEMENT
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INTRODUCTION

1. It is not a secret that leaders who abuse their positional power not only bring down morale, lost productivity, and create turnover but also incur grievances and cost to their companies. The Telamon Corporation Knightdale's Head Start Center lost their Director, Wanda Hudson, due to misuse of power and retaliation against her by a new rookie regional coordinator, Nancy Kocsi and State director, LTeisha Curtis.
2. Plaintiff, Wanda Hudson, in Propria persona brings this overtime pay denial and REDA lawsuit under work – related stress resulting in psychiatric injury, liability for stress both under common law and statutory law for treble damages per violation. In regard to bring this action in to Federal Court both laws apply in this case: 1) The Rehabilitation Act Section 504 as filling this lawsuit without a right –to –sue letter , and 2) as EECO issued a right to sue letter on December 11, 2017. Telamon Corporation receives federal funding as the Head Start program which falls under Section 504. Also, 3) the Civil Rights Act of 1964 and requesting jury trial **for**;

3. Breach Telamon Corporation Code of Ethics and Telamon Corporation Policy that is the contract, contemplating pretext retaliatory egregious behavior resulting in my involuntarily resignation due to threaten my health and safety, which is pretext constructive dismissal that is equal to the wrongful termination without the Board investigation or approval, my prior injury aggravation to my shoulders/ arms and trauma, work related burnout leading to the final exhaustion while working long hours of unpaid overtime and plus pretext mental injury/intentional emotional distress due to the pretext nefarious attack on June 8, 2017 after an intense 10 days intentional harassed hostile work environment and upon request refusal to provide medical help via Workers Compensation, defamation per se, hostile work environment as the retaliatory work place violence, retaliation within violation of the First Amendment while speaking against the new supervisor's egregious behavior and communicating threats to injure my staff and myself if her orders that violates policy, laws and potentially everyone's safety or increase high turnover with an extent to children and public safety equals to extortion, unpaid overtime wage and unpaid PTO, possible age, and national origin discrimination, retaliation of protected activities, refusal to rehire, refusal to take responsibility in stated exhaustion arising out of workplace and pretext final emotional injury as an actual deliverance of the threat, further defamatory pre se as retaliation and endangering of my life without medical care and income to live, corporate responsibility to me and the public, misuse of the Federal funds via fraud as of retention via wrongful pretext termination, toxic corporate culture and failure to do the right thing by the entire corporation and their insurance carrier, extended Weingarten rights to unrepresented non- union employees violation

of Section 8 (a) (1), discriminatory retaliation and pretext forced termination within Civil Rights Act of 1964 violation, Title VII potential violation and within an Equal Paid Act, Disability Discrimination Act of 1995, Tort negligence per se in pretext constructive dismissal as perjury and defamation per se in watering down my supervisor's explosion towards me and the threats communicated towards me and my staff, corporate responsibility, strict liability, and breach of duty to protect me from both physical and psychological harm and retaliation against me for protecting my staff, SOX mandatory provisions and retaliatory whistleblower protection, work – related stress resulting in psychiatric injury, liability for stress both under common law and statutory law.

PRELIMINARY STATEMENT

1. Wanda Hudson, a former center director for Knightdale location, in this position from January 17 of 2017 to June 08 of 2017, seeking the declaratory judgment relieve under the common and statutory laws, and Full Civil Gibeon appointed attorney in this case under the Rehabilitation Act of 1973 Section 504 as an access to the justice.

JURIDICTION

2. This court has jurisdiction over plaintiff's claims pursuant to 28 U.S.C, 1331. This Court has supplemental jurisdiction as of the EEOC Federal Agency's issued a right – to – sue letter issued on December 11, 2017.

VENUE

3. Venue in this Court is proper as to all Defendants pursuant to 28 U.S.C. § 1391 (a) (2) and (b) (2) because the events giving rise to the claims occurred within this district.

PARTIES

4. Plaintiff, Wanda Hudson is a foreign national living woman currently unemployed and injured with aggravation of preexisting injuries due to this job not only that any accommodations that were not made but I worked an extended long unpaid hours and then intentionally pretext constructively dismissed and injured for exercising my first amendment rights to protect my staff and myself from threatened workplace violence and retaliation against protected activities within the violation of the company's own policies that consider to be the contract and then an intentional infliction of emotional distress resulting in an acute depression arising from out the workplace dispute, and finally defamation pre se. From January 17 of 2017 to June 08 of 2017 I have worked for Telamon Head Start located in Knightdale, NC.
5. Defendants are TELAMON CORPORATION and representatives of this corporation are LTeisha Curtis, State Director, and Nancy Kocsi, regional coordinator, they are subjects of this lawsuit. They are sued in their official and individual capacity.

EXHAUSTION

6. I have contacted Telamon Corporation informing them of the situation and injury. The medical help was not provided by this organization or their insurance carrier. My worker's compensation claim was denied. There is no corporate responsibility to their injured employees due to their pretext intentional emotional infliction of stress and aggravation of injuries.
7. The EEO was contacted. The letter a right to sue was issued on December 11. 2017.

8. The Rehabilitation Act of 1973 Section 504 applies to organizations who accept federal funding and there is no need for a right – to – sue letter to be issued. So, if for some reason this Court denies my claim, I am asking allow to continue to proceed under Section 504 statutory right.
9. Also, there is no need for a letter to sue for unpaid overtime, or age discrimination, or REDA pretext constructive dismissal.
10. Under undue and ongoing health and living conditions in the name of justice and as my right of ADA accommodation I am requesting for the Court to appoint Full Civil Gibeon legal representation and for DOJ to intervene under the Civil Rights Act of 1964.

STATEMENT OF FACTS

11. The nefarious retaliatory attack on me by my condescending bosses LTeisha Curtis, State Director, and Nancy Kocsi, Regional Coordinator, occurred on June 8, 2017. Their nefarious action resulted in constructive dismissal as the pre-textual adverse employment action with the incurring injuries to my entire well-being. This behavior is a culture in this organization. Please see an employment review comment
12. As a matter of law, the contemplating Disciplinary Interview prepared by Nancy Kocsi, Regional Coordinator, and supported/implemented by LTeisha Curtis, State Director, or any information obtained during this interview up to and including my involuntarily resignation in violation of Weingarten Rights shall be excluded from any eventual resignation/discharge or discipline.
13. Also, this was crystal clear retaliation for addressing alleged unfair employment practices, verbally defending my staff and me from threatened hostility and coercion, and

exercising both the Public Policy Law and Telamon Corporation Policies, such as Duty to Warn under Telamon's policy section 1022.

14. I was escorted by the Sheriffs saying that I was trespassing when I was in my office and my staff was informed that I am not allowed stepping on the property. This is the crystal clear defamation per se.
15. My furniture and many things are left there. I would like to be reimbursed for furniture and recover rest of the small belongings left there.
16. Pretext generally refers to a reason for an action which is false and offered to cover up true motives. This is crystal clear evidence that my constructive dismissal was contemplating retaliation and defamation pre se to the Sheriffs as if I am trespassing while I am in my office being detained after hours by perpetrators. Who calls Sheriffs for a voluntarily resignation? Even Sheriffs questioned that...later on I have learned that Curtis called the Sheriff stating the trespassing. That is perjury and defamation per se. I did not know about their pretext intent to harm me.
17. Nancy Kocsi threatened NC25 staff with her authority/power during the staff meeting on June 01, 2017. Approximately 8:30 am at my office Nancy Kocsi yields at me while I informed her in regards TB test coerced action results as well as during that time LTeisha Curtis steps into the reception area (its seems to me that Nancy wanted to show up to LTeisha that she is doing her job or she is insecure in her own skin; LTeisha definitely heard this incident), and;
18. 12:15 pm, in the reception area, I confronted Nancy, and then approximately 1-1:30 pm, after confrontation, Nancy delivers her defamatory/retaliatory Memo to my office and forced me to sign it. Furthermore, during the staff meeting, Nancy loudly threatened my

staff with her authority and write-ups. She said- “if the Director, Wanda Hudson, will don’t write you up, then I will write her up and all of you as well” – this is extortion...Suddenly, without any notice, Nancy forced me to change my leadership style from democracy and servant –leadership style to dictatorship style by undermining my staff’s self- esteem and ownership of Telamon Corporation as stated in our core values and policy.

19. I tried to make the difference in my staff lives and worked with them side by side.

Nancy Kocsi with her threats that complete opposite to her job description and Telamon policy created the hostile work environment. However, LTeisha Curtis, State Director, said –“that what I like about Nancy, that why I hired her”...really? She hired her to create work violence and to waste human capital and perhaps endure legal damages for Telamon Corporation?

20. I have informed/warn Nancy not to threat my staff or me in any way, shape, or form and that shall prior legal and organizational steps shall be taken and that any threats will do more damage than good and will induce only a high turnover rate and that we are short of staff now and that I am unable to do my job during work hours because of it and ratio regulations must be maintained so I am working long hours after hours. I said to her that she do not have any right to speak this way not to me nor to my staff and that I will NOT going to yield on my staff or going to be her puppet nor breach any ethical or legal boundaries. Nancy called it again as an argument and resistance to her directives and proceeded with her retaliatory Memo on June 1 of 2017 and Contemplating Disciplinary Interview on June 8 of 2017. Unwarranted Memo is a crystal clear adverse retaliatory

action taken instantly against me for engaging in protected conduct such as Duty to warn in policy section 1022 not to yield and threatening me and intervening to protect my staff.

21. Also, Unwarranted Contemplating Disciplinary Interview violated my Weight Rights, clearly shows repeated and continue retaliatory actions against me for my protected conduct and legal request to stop the threats /work place violence within the frames of policy and law, for submitting report timely, for addressing problems with TB testing and outdated requirement for it, informing the state director of Nancy Kocsi behavior , civic responsibilities and duty of care, and for requesting my personal leave time to appear in court that as an exempt employee that should be always granted, for warning state director that Nancy behaves above the law and policy.
22. Since when 'Duty to Warn' in good faith as stated in the Personnel Manual (PM) section 1022) became an argument as an initiator Nancy Kocsi stated that and her ally, LTeisha Curtis, said nothing to Nancy about it but covered - up that behavior herself while continued the same behavior towards me, which resulted with the pretexted retaliation and tangible employment action from both of them? This is a second deliberation under the applicable law. This is a crystal clear defamation pre se of my character. **This is willful retaliation!**
23. A cover -up is an attempt/intent/fraud whether successful or not, to conceal evidence of wrongdoing and initiators or their allies shall be legally responsible for a misdeed up to expose them to criminal prosecution.
24. I was purged from my position for speaking on behalf of my staff and myself in order to improve work conditions and objecting to her coercion to do what is unethical and illegal.

25. Nancy Kocsi had created a hostile work environment by threats, coercion, lies, fear and mistrust in opposite to her job description (speak tactfully, be supportive) , laws, and policy while being supported by LTeisha Curtis to behave that way causing tangible employment action for me.
26. Also, LTeisha's support of Nancy's nefarious purpose and egregious behavior has destroyed everything instantly what I and my staff have worked for. There is nothing more to compare to just as of the intruder entering your home and asking to abuse your children or if not than that intruder will abuse you- mom and your –children... This comparison is no different as if our home being invaded by the intruder or the organization by the control freaks or narcissistic personalities. This is the red flag for the school and public safety. I was constructively dismissed for addressing those issues.
27. Wanda informed the State Director, LTeisha Curtis in regards Nancy's behavior, in fact, LTeisha Curtis witnessed it by herself but she also ignored it and continually supported this kind of behavior resulting in an adverse employment action and loss of human capital for Telamon Corporation.
28. **This is a plain abuse, fraud and waste that must be reported according to Telamon's Code of Ethics.** This constitutes the waste of federal funding provided to this organization.
29. On June 8, 2017, I experienced the similar malicious pretext retaliatory attack with a disciplinary interview as a constructive dismissal now from both LTeisha Curtis and Nancy Kocsi as the result to objecting to the workplace violence.
30. Also, on June 8 of 2017, I was denied to take time off for the Court appearance for my civic responsibility. Then, both Nancy and LTeisha retaliated against me for taking 2 ½

hours off while violating the Employment Public Accommodation Law, Public Service Leave Law, **Telamon Policy section 319**, and my Civil Rights. This is a double-edged retaliation against me just for standing or doing what is right swept me off my life financially and mentally. I am still in a shock in regards LTeisha Curtis's hypocrisy...I trusted her and I was double hurt as it appears now that she used the collected information to hurt me, which demonstrates her malicious fraudulent intent and that her WORD doesn't mean anything! It is completely opposite to our Core Values and Code of Ethics!

31. if I have not submitted email to DCDEE, as Nancy stated in her Disciplinary Interview Form paragraph 4, then the Telamon Corporation would be vicariously liable for the Detour damages (action from Nancy's instructions) or Frolic (my own actions) negligent acts or omissions by their employees in the course of employment. However, I did submit that report on time under the extreme pressure and intentional blocking to do so by both LTeisha and Nancy, including work constraints and staff shortage. But anyway, I am being punished for that as if it was not submitted or resubmitted with tangible employment action. Why? That is crystal clear pretext intent to trip me so they can take action against me anyway.
32. Furthermore, even I have saved Telamon Corporation liability by emailing that report timely to DCDEE, I was still interviewed and punished with the constructive dismissal. Telamon now is vicariously liable for both LTeisha and Nancy's behavior towards me resulting in tangible employment action. Also,
33. DCDEE is vicariously liable for occurred tangible employment action as well under this doctrine because of the Licensing Consultant's communications to Peggy, Nancy, and

LTeisha by not responding to me in regards my request and excluding me from their communications. Also,

- 34.** My conduct is lawful and protected in the eyes of the law. My conduct did protected Telamon Corporation as well but my Condescending bosses took an adverse action because I engaged in protected conduct.
- 35.** I did submit that report timely under unusual circumstances. Why, am I being disciplined for? Is that not clear evidence of hate towards me and retaliation?
- 36.** While I was working on the report's corrections, I was interrupted by many distractions. Contractors come back to clean the light covers. This work was prior approved and needed to be done imminently due to the Sanitation violations. However, LTeisha Curtis, asked me to dismiss them! Why? It appears that she tried to set me up again? Then she wanted to see David, the bus driver. When they left for their lunch break, David came to my office and we both waited on them. It was approximately 5 pm when David left my office because LTeisha did not returned my text informing us when she is planning to return. Also, not knowing what had happened and when Nancy will back, I resubmitted that report to the Licensing Consultant before the closing business day; as was agreed upon. Once again, Nancy tried to trip me by instructing me not to resubmit until she will back, but she nor called nor responded to my calls making me wondering if they are in an accident or worse. I did not have another choice just to resubmit that report as it was my duty. When, the bus driver left, I wanted to leave too. However, I was unable to leave because Nancy's car was on NC 25 property, I did not knew what had happened, I was not sure or to lock the doors or to leave them unlocked, and I worried. Either I or David, the bus driver, should be "held tied" in my office after the hours without informing us.

Their behavior is a direct disrespect to us and their words, totally apposite to Telamon Corporation Core Values and Policy. I am still in shock! Am I dreaming?

37. Approximately 6 pm, both LTeisha and Nancy came back. Both of them walked in to my office, Nancy set in front of me and started loudly to read her written Disciplinary Interview. The Disciplinary Interview was unwarranted and their pretext behavior was unwelcome. It was after hours. It was not my choice to stay any prolonged hours on that day. It appears that I was held captive until attack. It came as an attack without any witness. Remember, it was after hours. There no one was available to witness and they refused to reschedule it. Why I was held captive and then attacked after hours? This is passive –aggressive workplace violence! Why they called police while I was gathering my things but not during the Disciplinary Interview, just to intimidate me? I have informed police that I did not resigned voluntarily and explained in detail the circumstances. I have departed approximately 8: 30 pm. It shall be 4:30pm. This is a direct violation of Weingarten Rights, Civil Rights, own polices and laws. This is a willful pretext retaliation done knowingly and in their bad faith with a malicious intent hoping for an adverse action to happen (that I will resign). However, the Disciplinary Interview and Memo is an adverse action already happen in the light of pretext retaliation, which let to circumstantial coerced resignation. *** Within violations of Rights, Laws, and own policy this is invalid resignation further resulting in an intentional blocking to come back to my position or building and escalating prolonged injuries and suffering.

38. Their pretext actions traumatized me! I am still in disbelieving stage that both of them can be such wicked individuals. I was holding captive without informing me where they

are. This was a clear pretext attack based on their bad faith with intent to hurt me knowingly. That was betrayal from LTeisha and crystal clear retaliation in response to my protected activities by law and corporate policy. Workplace violence includes abusive behavior toward authority, intimidating or harassing behavior, and threats

39. An employee doesn't have to bring a formal complaint to be protected from retaliation.

Under Title VII of the 1964 Civil Rights act, those who "oppose" an illegal practice are protected from retaliation. Also Duty to Warn policy section 1022 encourages and protects from retaliation. **If engaged protected activity resulted in materially adverse action it constitutes retaliation under Title VII.** Materially adverse" action against an employee may constitute retaliation under Title VII and other civil rights statutes, if the action might deter a reasonable employee from making a complaint or otherwise engaging in protected activity. I was retaliated not only my supervisor but my supervisor's supervisor for reporting my supervisor's behavior and exploding on me.

40. I was forced by Nancy Kocsi and LTeisha to get TB test such if she is a doctor and practicing medicine without a medical license. When I went for a medical checkup, I did ask for TB assessment. I was informed by a doctor (many times) that if TB positive due to the childhood vaccine and ruled out with an x-ray that there only need to report for checkup only if the symptoms occurs. The stated information was presented upon hiring and was accepted. Upon the State Consultant's visit it was explained to the Consultant again. I was forced to produce the TB test results. I went back to the same medical office on May 31, 2017 asking for them to provide to me the written updated statement of assessment. I got the same answer. On June 1st, 2017 I explained the situation to my supervisor and said that I will go in person later on this morning upon opening to the

Health Department since Health Department has my records but there is not guarantee. Then, my supervisor explodes on me demanding for me to leave right now and to bring the results or she will terminate me. I went to the Health Department knowing that the department still was closed. I made an earliest available appointment with no guarantees. I was forced by the State director to pay high deductible in order to see a different doctor as she recommended her doctor. I informed my supervisor Nancy Kocsi that I was not able to produce TB test results or assessment but I set an appointment. I went back to my doctor's office to speak with the manager. Nancy Kocsi threatened to report a doctor to the medical board if she not achieves her desired results. I was placed between an impossible imminent requirement to produce the results when a doctor follows his policies and procedures and I am being forced by my supervisor to meet her expectations. I did my own research and to the great surprise my doctor office was right. The State Consultant and Telamon refused to listen and proceeded with retaliation towards me for sharing information instead updating the required "law" in regards TB testing, which is;

41. According to the Centers for Disease Control and Prevention, TB tests are generally not needed for people with a low risk of infection with TB bacteria. AB 1667 Williams (Chapter 329) TUBERCULOSIS TESTING IN SCHOOLS amends outdated universal tuberculosis (TB) testing requirements for school employees, volunteers and contractors to require TB testing only when risk factors for TB are identified. Beginning on January 1, 2015, the screening and testing regime is as follows: • A person shall not be initially employed by a school district, or employed under contract, in a certificated or classified position unless the person has submitted to a tuberculosis risk assessment within the past 60 days. • If no risk factors are identified, an examination is not required. Employees who

have not identified risk factors or who test negative for TB are required to undergo screening **every four years.** • If tuberculosis risk factors are identified, the person must be administered a TB test. • If the TB test is positive, it must be followed by a chest x-ray to exclude active infectious TB. • **If a person has a documented positive TB test for infection followed by an x-ray, the questionnaire is no longer required for that person, but the person will need to self-report to his or her primary care physician if signs of TB develop.**

42. Those are the facts. However violence and retaliation occurred towards me for stating my experience and educating on TB current updated requirement. However, according to the law, there shall not be forced any vaccinations or test against your will for an exchange for employment. I produced the written statement by a manager however I did not avoid instant retaliation and disciplinary interview resulting in pretext constructive dismissal. This is not much different as forcing nurses to have a flu shot in order to work resulting in millions lawsuit settlement.
43. Retaliatory action continue withdrawing needed help to finish final report with being short staff I barely made it, but it upset my supervisor with more pretext retaliation and more illegal retaliation against protected activities addition to TB ordeal it was the need to take time off to go to court for illegal traffic stop. Placing me in the position to lose my job if I do not go because of failure to appear or pretext constructional dismissal when I went.
44. I took 2 hours from work to go to the court as states in the policy book I came back but I was met with resistance and later on with pretext emotional injury and constructive

dismissal and denied medical access under Workers Compensation leaving me to face survival.

RELIEF REQUESTED

WHEREFORE, Plaintiff in pro pe requests the following relief from this Court:

1. A declaratory Judgment that the practices, acts and omissions complained of herein violated the stated companies policies that it's the contract itself, specified laws, and Plaintiff's rights;
2. DOJ intervention under Civil Rights Act 1964 and public safety with coercion of outdated TB test requirements that indeed is illegal in the first place. Intentional violation of contract as the company's policy that allows taking PTO to civic responsibility. In Conspiracy in violation of my rights being undue injured.
3. Telamon Corporation operates in a few states of an union and non- union members with the main office in Raleigh, NC so Weingarten rights to unrepresented employees within violated section 8 (a) (1) shall apply in this case as a matter of law per Weingarten Rights - if not request be granted shall be immediately restored. I shall be restored to my position or higher. However due to the intentional pretext emotional distress that resulted in an acute depression or aggravation of traumas preventing me to work with children in this condition, the defendant shall pay compensatory damages, unpaid overtime and PTO, remaining unpaid annual salary of 2017 and continue to pay an yearly salary until retirement or until health condition resolves which comes first and including retirement.

4. Equal Pay Act to pay an immediately owned overtime (case law) and PTO , half of the year remaining salary, daily allowances , compensatory damages as a corporation and individually, punitive damages.
5. Compensatory damages against each Defendant, jointly and severally
6. Punitive damages against Telamon Corporation for a contributory wrongdoing not stop, failure to provide medical care, violating their own policies and code of ethics not firing Nancy or Curtis as stated per Telamon policy however resulting against me for duty to worn as stated in their policy. This is a crystal clear not only retaliation for protected activities but also as the discrimination in national origin, disability, age, an intentional egregious behavior cover up, defamation per se, Corporate responsibility and duty to care to prevent injuries but not intentionally cause them.
7. Retention of jurisdiction over defendants and possible third parties or persons if any until such time that the Court is satisfied that defendants' violation of their own policies as constitute as the contract that shall be strictly reinforced as a matter of law, unlawful practices, acts, and omissions no longer exist and will not recur.
8. Reasonable attorney's fees and costs for either myself as a plaintiff in pro per , any legal representative appointed or DOJ upon intervention of violation of Civil Rights Act 1964, Tittle VI , public safety of corporate responsibility and abuse of federal funds Rehabilitation Act 1973 504 to proceed without a letter to sue if courts decides that EEO given time to sue is not enough for DOJ or volunteering or appointing lawyer to intervene. A reasonable attorney's fees and costs pursuant to 42 U.S.C. §1988 ; and

9. I shall be restored to my position or higher and endured damages shall be paid including statutory wage, overtime, loss PTO compensation and all necessary medical -neurological services provided in order to recover from the contemplating retaliatory disciplinary interview resulting in constructive dismissal and injury, and future salary.
10. The demand shall include pain and suffering, punitive damages, compensatory damages, medical care, financial restoration. Demand of lawsuit is \$ 11,000,000 (eleven million).
11. Such further relief as the Court may deem just proper.

DEMAND FOR JURY TRIAL

The plaintiff requests a trial by jury on all issues triable by a jury.

Respectfully submitted, this the 9th of March of 2018

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In Pro per - Wanda Hudson

P.O.Box 473
Morrisville, NC 27560

CERTIFICATE OF SERVICE

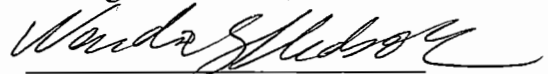
I certify that I have served a copy of **CLAIM AND SUMMARY JUDGEMENT**
on March 9, 2018 with the Clerk of the Court personally and mailed to the defendant certified
mail at the Raleigh Office:

310 New Bern Avenue
Raleigh, NC 27601 -1461
Phone: (919) 856 -45 30

Executive Director
Mrs. Suzanne Orozco
Telamon Corporation
5560 Munford Rd# 201
Raleigh, NC 27612
Phone: 919- 851-7611

Respectfully Submitted, 03/09/2018

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In Pro Per - Wanda Hudson

P.O.Box 473
Morrisville, NC 27560